

2/18/2021 10:35 am

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

U.S. DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
LONG ISLAND OFFICE

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For Online Publication Only

NATASHA N. MITCHELL,

Plaintiff,

-against-

ORDER

20-CV-6311 (JMA)

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

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AZRACK, United States District Judge:

Before the Court is the in forma pauperis application filed by counsel on behalf of plaintiff, Natasha N. Mitchell (“plaintiff”). For the reasons that follow, the application to proceed in forma pauperis is denied without prejudice and with leave to renew upon completion of the AO 239 Long Form in forma pauperis application (“Long Form”) attached to this Order. Alternatively, plaintiff may remit the \$400.00 filing fee.

Plaintiff’s application provides very little information, making it impossible for the Court to assess her financial position. (See Docket Entry 3, generally.) For example, the only item of value plaintiff reports owning is a 2003 Jeep Grand Cherokee. (Id. ¶ 5.) However, in the space on the form that calls for a description of any regular monthly expenses and the amounts thereof, plaintiff does not report any expenses associated with that vehicle such as car insurance and gas. (Id. ¶ 6.) Nor did plaintiff include any monthly expenses on her application such as for food, housing, and utilities. (Id.) Plaintiff reports having \$5.00 in cash or in a checking or savings account and reports having received monthly “public assistance” but has omitted the amount received and any amounts she expects to receive in the future. (Id. ¶¶ 3-4.) Further, although plaintiff reports that her minor daughter depends upon plaintiff for support, plaintiff has not

included how much plaintiff contributes towards her support.¹ (Id. ¶ 7.)

Given that the incomplete responses provided by plaintiff raise more questions than they answer, plaintiff's application is denied without prejudice and with leave to renew upon completion of the long form application enclosed with this Order within twenty one (21) days from the date of this Order. Alternatively, plaintiff may remit the \$400.00 filing fee. Plaintiff is warned that a failure to timely comply with this Order may lead to the dismissal of the complaint without prejudice for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b).

The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this Order would not be taken in good faith and therefore in forma pauperis status is denied for the purpose of any appeal. See Coppedge v. United States, 369 U.S. 438, 444-45 (1962).

SO ORDERED.

Dated: February 18, 2021
Central Islip, New York

/s/ (JMA)
JOAN M. AZRACK
UNITED STATES DISTRICT JUDGE

¹ Plaintiff has included the full name of her minor daughter in violation of the E-Government Act of 2004, as amended. Accordingly, the Clerk is requested to restrict access to Docket Entry No. 3. Any future filings must comply with the E-Government Act's requirements. Specifically, plaintiff's minor daughter must be identified only by her initials.